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FM AMCONSUL HO CHI MINH CITY  
TO RUEHC/SECSTATE WASHDC PRIORITY 3672  
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UNCLAS SECTION 01 OF 02 HO CHI MINH CITY 000136

SIPDIS

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STATE FOR EAP/MLS AND DRL/AWH

E.O. 12958: N/A  
TAGS: [PGOV](#) [PREL](#) [PHUM](#) [VM](#)  
SUBJECT: TWO DISSIDENTS SENTENCED TO SIX YEARS IN PRISON, POSSIBLE  
TIES TO GOVERNMENT OF FREE VIETNAM

REF: A. 07 HCMC 1220 AND PREVIOUS; B. HANOI 065

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AMCONSUL HO CHI MINH CITY  
SECSTATE WASHDC ROUTINE  
INFO AMEMBASSY HANOI ROUTINE  
ASEAN MEMBER COLLECTIVE

SENSITIVE  
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E.O. 12958: N/A  
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Summary

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11. (SBU) Political dissidents Truong Quoc Huy and Hang Tan Phat were both sentenced to six years in prison and three years probation for "propagandizing against the Government" on January 29, 2008. Huy, a member of Bloc 8406, has been in custody since his August 2006 arrest during the height of the GVN crackdown on democracy groups. In addition to being accused of disseminating pro-democracy propaganda, both Huy and Phat were accused of receiving funds from Nguyen Huu Chanh's Government of Free Vietnam (GFVN), an anti-Communist organization based in Orange County, CA, whose expressed aim is the overthrow of the Vietnamese Government. Post has no independent confirmation of the two activists' ties to GFVN, which the GVN considers to be a terrorist organization, but believes the GVN-perceived links account for the above-average prison sentences handed down in their cases. End summary.

12. (SBU) On January 29, The HCMC People's Court sentenced democracy activists Truong Quoc Huy and Hang Tan Phat to six years in jail and three years' probation for "propagandizing against the Government" in violation of Article 88 of Vietnam's

Penal Code. Huy, a member of Bloc 8406, was found guilty of disseminating leaflets calling for democracy and publicizing negative information about the GVN's role in land rights disputes in Ho Chi Minh City, An Giang and Kien Giang provinces.

Official reports claim Huy and Phat were both funded by the anti-Communist Government of Free Vietnam (GVFN), an Orange County-based organization whose website states their mission is to "dismantle the suppressing (sic) system of Communist dictatorship of the Socialist Republic of Vietnam by a peaceful, democratic, humanity (sic), practical and persistent approach." GVN security authorities consider the GFVN, along with the Viet Tan, to be terrorist organizations and the two groups are regularly described as such in government news services.

13. (SBU) The official trial report in Cong An (Police) newspaper said the GFVN gave Phat 600 USD to pass out banknotes with anti-GVN writing on them and gave Huy 200 USD to disseminate 2,500 anti-government leaflets in April 2005. The report said Huy and Phat "slandered" the GVN for its democracy, human rights and religious freedom record and accused them of inciting the public to overthrow the GVN. Post has no independent confirmation of Huy and Phat's involvement with the GFVN, but believes the Vietnamese government's connection of the activists to the GFVN explains the rather lengthy six year sentences handed down in their cases. In the past year, other political activists convicted under Article 88 have received three-to-five years sentences and several previously convicted activists' sentences were reduced.

14. (SBU) Mr. Huy's mother attended his trial and said he was represented by lawyer Tran Vu Hai, who had full access to the case documents and met with Huy six times before the trial. Though a Reuters news article claimed Huy and Phat pleaded guilty, Huy's mother said he pleaded not guilty and spoke in his own defense, defiantly asking the Court why Viet Tan activists who also disseminated pro-democracy information (Ref. B) were released while Huy, who did the same thing, was put in prison. (Note: Huy was referring to Viet Tan members Leon Trung and Nguyen Thi Than Van, who were arrested in HCMC on November 17, 2007 for disseminating pro-democracy pamphlets, then released and deported about one month later. Four other alleged Viet Tan

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activists arrested on the same date remain in custody. End note)

15. (SBU) Huy's mother said she planned to ask her son to appeal the sentence, though his lawyer has declined to continue working on his case. Mr. Huy's legal fees were paid by fellow Bloc 8406 member Dr. Nguyen Chinh Ket, a prominent dissident who fled abroad in 2007 under an outstanding arrest warrant in Vietnam.

#### BACKGROUND ON GVFN

16. (SBU) The alleged ties between the defendants and the Government of Free Viet Nam (GVFN) almost certainly played a role in the precipitating the harsh sentences meted out. While the GVFN publicly claims to aim for political change in Vietnam via peaceful means, there is evidence members of the GVFN have plotted and carried out terrorist attacks on Vietnamese diplomatic missions in England, Thailand, Cambodia and the Philippines. In October 2001, member Vo Duc Van was arrested at the Orange County Airport for the attempted bombing of the Vietnamese embassy in Bangkok, Thailand. In November 2006, Thuong Nguyen Cuc Foshee, another member of GFVN, was convicted in Vietnam on terrorism charges for allegedly plotting to take over a local radio station and broadcast anti-communist messages. Mrs. Foshee was released and deported a month later. Nguyen Huu Chanh, the "Prime Minister" of GFVN, is also under suspicion of being involved in the Bangkok bombing and wanted by the GVN on charges of arms trafficking and acts of terrorism. Recent press reports indicate that he is the subject of an FBI investigation and remains in U.S. custody.

17. (U) This cable was coordinated with Embassy Hanoi.  
FAIRFAX